

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 25 February 2019 at 6.30 pm

Present: Councillor Maurice Billington (Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor John Broad
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Cassi Perry
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Dan Sames
Councillor Les Sibley
Councillor Jason Slaymaker
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence: Councillor David Hughes
Councillor David Anderson
Councillor Hugo Brown
Councillor Ian Corkin
Councillor Richard Mould
Councillor Alaric Rose
Councillor Lucinda Wing

Officers: Yvonne Rees, Chief Executive
Claire Taylor, Director: Customers and Service Development
Nick Graham, Director of Law and Governance / Monitoring Officer
Hedd Vaughan Evans, Assistant Director Performance and Transformation
Kelly Watson, Deputy Section 151 Officer
Natasha Clark, Governance and Elections Manager

86 **Declarations of Interest**

9. Motions.

Councillor Carmen Griffiths, Declaration, as a private landlord and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a private landlord and would leave the meeting for the duration of the item.

Councillor Douglas Webb, Declaration, as a private landlord and would leave the meeting for the duration of the item.

87 **Communications**

The Chairman made the following announcements:

Chairman's Engagements

The Chairman advised Members that a copy of the events attended by himself or the Vice-Chairman had been published with the agenda and referred to his Chairman's Dinner that was taking place on 13 April 2019. Further details were available from the Chairman's PA, Liz Matthews.

Healthy Places Video

At the request of the Chairman, the Chief Executive advised Council of the Local Government Association (LGA) and District Councils Network (DCN) report on healthy place shaping, which was a case study document exploring the role of districts in health and features 10 examples from across the country. At the DCN National Conference, an animation that had been produced by the council's Communications and PR Officer to support the report had been launched. The report and animation demonstrated the critical role District councils play in the prevention agenda.

Having watched the animation, Members commended officers for their excellent work in highlighting this important area and the role of district councils.

Member Seminar

The Chairman advised Members that the scheduled member seminar at 6.30pm on Tuesday 12 March would focus on Brexit. More details would be circulated in due course.

Related Party Transactions

The Chairman referred to the Related Party Transaction forms on Members' desks. All Members were required to complete the form, even if the response was "None".

Post

The Chairman reminded Members to collect any post from pigeon holes.

88 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

89 **Urgent Business**

There were no items of urgent business.

90 **Minutes of Council**

The minutes of the meeting held on 7 January 2019 were agreed as a correct record and signed by the Chairman.

91 **Minutes**

a) Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 7 January 2019, no decisions had been taken by the Executive which were not included in the 28 day notice.

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

92 **Questions**

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Sibley: Letterbox heights
Councillor Sibley: Number of swifts in the district and swift bricks in buildings
Councillor Cherry: Defibrillators
Councillor Mawer: Brexit
Councillor Richards: Ambulance service training
Councillor Dhesi: Bins in Castle Quay shopping centre
Councillor Dhesi: Calls to Cherwell District Council Customer Services
Councillor Dhesi: Pedestrianised area in Castle Quay 2

c) Questions to Committee Chairmen on the Minutes

There were no questions to Committee Chairman on the minutes of meetings.

93

Motions

It was moved by Councillor Richards and seconded by Councillor Woodcock, that the following motion be adopted:

Private Sector Housing

“This council notes government figures showing that 1/5 of nearly five million private sector tenants are not satisfied with their accommodation.

Following previous years of poor performance; this council renews its commitment to driving up standards in the local private rented sector.

As part of this, Cherwell District Council will:

1. Improve engagement with private sector tenants by establishing a private tenants forum or association.
2. Make it easier for private renters to raise concerns with dedicated, easy-to-find space on the council website.
3. Raise awareness of the council's role in private sector housing enforcement with a dedicated campaign in the local press and on social media.
4. Develop an accreditation and license scheme for private sector landlords to identify and reward good practice.”

Councillor Wood proposed the following amendments to the motion (deletions crossed and additions in italics), which was duly seconded by Councillor Donaldson:

“This Council notes government figures showing that 1/5 of nearly five million private sector tenants are not satisfied with their accommodation. *To stay ahead of this trend, this council reconfirms its commitment to high standards in the local private rental market.*

~~Following previous years of poor performance; this council renews its commitment to driving up standards in the local private rented sector.~~

~~As part of this, Cherwell District Council will:~~

1. ~~Improve engagement with private sector tenants by establishing a private tenants forum or association.~~
2. ~~Make it easier for private renters to raise concerns with dedicated, easy-to-find space on the council website.~~
3. ~~Raise awareness of the council's role in private sector housing enforcement with a dedicated campaign in the local press and on social media.~~
4. ~~Develop an accreditation and license scheme for private sector landlords to identify and reward good practice."~~

The Council notes that significant improvements to the website are nearing completion which will make it easier for tenants to understand what we can do and how to contact us.

The Council believes that an improved website, periodic communications and press releases (especially after successful prosecutions) are likely to be the best ways to increase awareness.

The Council instructs the Executive to periodically review the need for any further selective licensing and/or accreditation schemes, and to consider setting up a private resident's forum."

On being put to the vote, the amendment was approved. The motion as amended was debated and on being put to the vote, was supported.

Resolved

- (1) That the following motion, as amended, be adopted:

Private Sector Housing

"This Council notes government figures showing that 1/5 of nearly five million private sector tenants are not satisfied with their accommodation. To stay ahead of this trend, this council reconfirms its commitment to high standards in the local private rental market.

The Council notes that significant improvements to the website are nearing completion which will make it easier for tenants to understand what we can do and how to contact us.

The Council believes that an improved website, periodic communications and press releases (especially after successful prosecutions) are likely to be the best ways to increase awareness.

The Council instructs the Executive to periodically review the need for any further selective licensing and/or accreditation schemes, and to consider setting up a private resident's forum."

Members' Allowances 2019/2020

The Director Law and Governance and Monitoring Officer submitted a report to determine the levels of the allowances to be paid to Members for the

forthcoming 2019/2020 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP).

In presenting the report, Councillor Wood, Leader of the Council, thanked the Panel for their hard work in producing the report and acknowledged the recommendations and the Panel's reasoning.

Councillor Woodcock requested that a recorded vote be taken, which was seconded by Councillor Banfield.

Having been proposed and seconded, a recorded vote was duly taken and members voted as follows:

Councillor Banfield	Against
Councillor Beere	Against
Councillor Bell	Against
Councillor Billington	For
Councillor Broad	For
Councillor Chapman	For
Councillor Cherry	Against
Councillor Clarke	For
Councillor Dhesi	Against
Councillor Donaldson	For
Councillor Gaul	For
Councillor Griffiths	For
Councillor Hallchurch MBE	For
Councillor Heath	For
Councillor Hussain	Against
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Mackenzie-Wintle	For
Councillor Macnamara	For
Councillor Mawer	Abstain
Councillor McHugh	For
Councillor Perry	Against
Councillor Pickford	Abstain
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	Against
Councillor Sames	For
Councillor Sibley	For
Councillor Slaymaker	For
Councillor Wallis	For
Councillor Webb	For
Councillor Williams	For
Councillor Wood	For
Councillor Woodcock	Against

Resolved

- (1) That, having given due consideration to the levels of allowances to be included in the 2019/2020 Members' Allowances Scheme, the Panel's

recommendations (annex to the Minutes as set out in the Minute Book) be adopted without modification.

- (2) That the Monitoring Officer be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2019.
- (3) That the Monitoring Officer be authorised to take all necessary action to revoke the current (2018/2019) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members's Allowances)(England) Regulations 2003 (as amended).
- (4) That the Independent Remuneration Panel be thanked for its report and fee of £300 for Panel Members be set for the work carried out on this review for 2018/2019 and the same level of fee (£300) for any reviews carried out in 2019/2020 capped at a maximum of £1200 be agreed.

95 **Robustness of Estimates and the Adequacy of Reserves and Balances Local Government Act 2003 (Section 25)**

The Executive Director Finance and Governance (Interim) and Section S151 Officer submitted a report to accord with Section 25 of The Local Government Act 2003, which places a duty on the Chief Finance Officer to make a report to the authority on the robustness of estimates and adequacy of reserves. This report fulfilled this requirement and provided Members with assurance that the budgets have been compiled appropriately and that the level of reserves is adequate. It was a statutory requirement that councillors must consider this report when considering and approving a budget.

Resolved

- (1) That the report be noted.

96 **Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24**

Prior to consideration of the item, the Chairman sought the agreement of Members to suspend standing orders with regard to the duration of the speech by the proposer of the budget, or the speeches of the group spokesperson and group Leaders. Members indicated agreement.

The Director: Law and Governance reminded Council that it was required in legislation that any motion or amendment to the budget or council tax setting reports be taken by recorded vote and this would be done at the appropriate time.

The Executive Director Finance and Governance (Interim) & Section 151 Officer submitted a report to consider the Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24. The Business Plan and Summary Medium Term Financial Strategy were presented as an integrated report,

which demonstrated the Council's strategic approach to aligning its resource to the delivery of Council's priorities.

In introducing the report, the Lead Member for Financial Management and Governance explained that the Council was required to produce a balanced budget for 2019/20 as the basis for calculating its level of Council Tax. It had to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed Business Plan and Medium Term Financial Strategy were presented as an integrated report, incorporating updated Performance and Risk management frameworks, to ensure effective delivery. This clearly demonstrated that the Council adopted a strategic approach in aligning its allocation of all of its resources, to the delivery of the Council's priorities.

Councillor Ilott thanked the Chief Finance Officer and the finance team who had worked hard on the budget process and submitted a balanced budget to Council. Councillor Ilott also thanked the Budget Planning Committee, Overview and Scrutiny Committee and Accounts, Audit and Risk Committee for their hard work supporting the budget setting and business plan process.

Having presented the report, Councillor Ilott proposed the Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24. Councillor Wood seconded the proposal.

Councillor Woodcock, on behalf of the Labour Group, addressed Council in response to the budget and confirmed that he would be proposing no amendments.

Councillor Sibley, on behalf of the Independent Group, addressed Council in response to the budget and confirmed that he would be proposing no amendments.

A recorded vote was taken and members voted as follows:

Councillor Banfield	Against
Councillor Beere	Against
Councillor Bell	Against
Councillor Billington	For
Councillor Broad	Abstain
Councillor Chapman	For
Councillor Cherry	Against
Councillor Clarke	For
Councillor Dhesi	Against
Councillor Donaldson	For
Councillor Gaul	For
Councillor Griffiths	For
Councillor Hallchurch MBE	For
Councillor Heath	For
Councillor Hussain	Against
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Mackenzie-Wintle	For

Councillor Macnamara	For
Councillor Mawer	For
Councillor McHugh	For
Councillor Perry	Against
Councillor Pickford	For
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	Against
Councillor Sames	For
Councillor Sibley	For
Councillor Slaymaker	For
Councillor Wallis	For
Councillor Webb	For
Councillor Williams	For
Councillor Wood	For
Councillor Woodcock	Against

Resolved

- (1) That, having given due consideration, the Business Plan (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the Risk Register (annex to the Minutes as set out in the Minute Book) be noted.
- (3) That, having given due consideration, an increase in the level of Council Tax for Cherwell District Council of £5 for 2019/20 be approved.
- (4) That, having given due consideration, the Medium Term Financial Strategy (MTFS), Revenue Budget 2019/20 and Capital Programme including recommending the growth and savings proposals (annexes to the Minutes as set out in the Minute Book) be approved.
- (5) That, having given due consideration, a minimum level of General Fund reserves of £2m.
- (6) That, having given due consideration, authority be delegated to the Chief Finance Officer in consultation with the Lead Member for Financial Management & Governance, and where appropriate the relevant Director and Lead Member to:
 - Transfer monies to/from earmarked reserves should that become necessary during the financial year.
 - Update prudential indicators in both the Prudential Indicators Report and Treasury Management Strategy Report to Council, for any budget changes that impact on these.
- (7) That, having given due consideration, the Fees & Charges (annex to the Minutes as set out in the Minute Book) be approved.
- (8) That, having given due consideration, the Treasury Management Strategy, including the Prudential Indicators, Minimum Revenue

Provision (MRP) Policy and Affordable Borrowing Limit for 2019/20 (annexes to the Minutes as set out in the Minute Book) be approved.

- (9) That, having given due consideration, authority be delegated to the Chief Finance Officer to make any technical changes necessary to the papers for the Council meeting of 25 February 2019, including changes related to the finalisation of the national Finance Settlement and any associated changes to Parish Precepts and Council resulting from those changes.
- (10) That the contents of the Section 25 report from the Chief Finance Officer in relation to the robustness of estimates and adequacy of reserves be noted.
- (11) That, having given due consideration, the statement of pay policy for 2019/20 as required by the Localism Act (annex to the Minutes as set out in the Minute Book) be approved.
- (12) That the equality impact assessment for 2019/20 (annex to the Minutes as set out in the Minute Book) be noted.

97 **Adjournment of Council Meeting**

The Leader of the Council confirmed that he did not require Council to adjourn to allow Executive to meet discuss any issues arising from the budget.

98 **Calculating the amounts of Council Tax for 2019/20 and setting the Council Tax for 2019/20**

The Executive Director of Finance and Governance (Interim) & Section 151 Officer submitted a report to detail the Calculations for the amounts of Council Tax for 2019/20 and the setting of Council Tax for 2019/20.

Councillor Ilott introduced and proposed the Council Tax for 2019/20, which was duly seconded by Councillor Wood.

A recorded vote was taken and members voted as follows:

Councillor Banfield	For
Councillor Beere	For
Councillor Bell	For
Councillor Billington	For
Councillor Broad	For
Councillor Chapman	For
Councillor Cherry	For
Councillor Clarke	For
Councillor Dhesi	For
Councillor Donaldson	For
Councillor Gaul	For
Councillor Griffiths	For
Councillor Hallchurch MBE	For

Councillor Heath	For
Councillor Hussain	For
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Macnamara	For
Councillor Mawer	For
Councillor McHugh	For
Councillor Perry	For
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	For
Councillor Sames	For
Councillor Sibley	For
Councillor Slaymaker	For
Councillor Wallis	For
Councillor Webb	For
Councillor Williams	For
Councillor Wood	For
Councillor Woodcock	For

Resolved

- (1) That it be noted that at the Executive meeting held on 7 January 2019 the Council calculated the Council Tax Base 2019/20:
 - a) for the whole Council area as 53,876.9 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached annex to the Minutes (as set out in the Minute Book).
- (2) That the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish Precepts and Special Expenses) is £6,923,182.
- (3) That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:-
 - a) £117,224,652 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - b) £105,174,128 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
 - c) £12,050,524 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its

Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).

- d) £223.67 being the amount at 3(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
 - e) £5,127,342 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2 (annex to the Minutes as set out in the Minute Book).
 - f) £128.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates.
- (4) That it be noted that for the year 2019/20 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below :-

<u>Valuation Band</u>	Oxfordshire County Council	Police and Crime Commissioner for Thames Valley
	£	£
A	979.22	137.52
B	1,142.42	160.44
C	1,305.63	183.36
D	1,468.83	206.28
E	1,795.24	252.12
F	2,121.64	297.96
G	2,448.05	343.80
H	2,937.66	412.56

- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) as the amounts of Council Tax for the year 2019/20 for each part of its area and for each of the categories of dwellings.
- (6) That the Council's basic amount of Council Tax for 2019/20 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.
- (7) That the following discounts and exemption be approved:

- 1 In respect of properties within Class A and B as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (furnished chargeable dwelling that are not the sole or a main residence of an individual) the discount provided by Section 11a of the Local Government Finance Act 1992 shall be zero.
- 2 In respect of properties within Class C as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (a property that is unoccupied and substantially unfurnished) the discount provided by the Section 11A of the said Act shall be 25% for a period of 6 months and thereafter zero.
- 3 In respect of properties within Class D as defined by the said Regulations (chargeable dwellings that are vacant and undergoing major repair work to render them habitable) the discount provided by Section 11A of the said Act shall be 25%
- 4 No council tax discount shall be applied to dwellings that are unoccupied and unfurnished for more than two years and that council tax payable on such properties is 200% (except for those properties which fall into prescribed Classes E and F).

99

Business Rates Retail Relief Policy

The Executive Director Finance and Governance (Interim) & Section 151 Officer submitted a report to provide members with an update on the retail relief scheme announced in the Budget and to seek approval for the Business Rates Retail Relief Policy for 2019-2020.

Resolved

- (1) That the contents of the report be noted.
- (2) That the Business Rates Retail Relief Policy (annex to the Minutes as set out in the Minute Book) be approved.

100

Local Discretionary Business Rate Relief Scheme 2019-20

The Executive Director Finance and Governance (Interim) & Section 151 Officer submitted a report for members to consider the proposed Local Discretionary Relief Policy and to seek approval for the Discretionary Business Rate Relief Scheme for 2019-2020.

Resolved

- (1) That the report be noted.

- (2) That the adoption of the Local Discretionary Business Rate Relief Scheme for 2019-20 (annex to the Minutes as set out in the Minute Book) be approved.

The meeting ended at 8.55 pm

Chairman:

Date: